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Attorneys for Defendant MALCOLM DOUGHERTY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATIVE SONGBIRD CARE AND CONSERVATION, a non-profit organization;)	Case Number: 3:13-cv-02265-JST
VERONICA BOWERS, an individual;)	
MADRONE AUDUBON SOCIETY, a non-profit corporation; CENTER FOR BIOLOGICAL DIVERSITY, a non-profit corporation; MARIN AUDUBON SOCIETY, a non-profit corporation; and GOLDEN GATE AUDUBON SOCIETY, a non-profit corporation))	STIPULATION RE: SCHEDULE FOR DEFENDANTS' MOTION FOR A STAY OF PROCEEDINGS AND EXTENSION OF TIME FOR DEFENDANTS TO SERVE A RESPONSIVE PLEADING; AND JOINT MOTION TO RESCHEDULE THE CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER
Plaintiffs,)	
vs.)	
ANTHONY FOXX, in his official capacity as Secretary of United States Department of Transportation; VICTOR MENDEZ, in his official capacity as Administrator of the Federal Highway Administration; and MALCOLM DOUGHERTY, in his official capacity as Director of the California Department of Transportation,)	
Defendants.)	

Whereas Defendants intend to file a motion for a stay of proceedings in this matter for reasons to be set forth in Defendants' motion, the parties hereby stipulate to the following briefing schedule and hearing date for Defendants' motion for stay of proceedings:

1. Defendants' motion for a stay of proceedings will be filed and served on or before **August 30, 2013**.
2. Plaintiffs' opposition brief will be filed and served 14 calendar days after Defendants' moving papers are filed.
3. Defendants' reply brief will be filed and served 7 calendar days after Plaintiffs' opposition is filed.
4. The hearing on Defendants' motion for a stay of proceedings will be set for **October 3, 2013** at **2:00 p.m.**.

The parties further stipulate that the time for Defendants to file and serve responsive pleadings to Plaintiffs' First Amended Complaint (ECF No. 56), which are currently due on August 23, 2013, shall be extended to a date to be set following the Court's decision on Defendants' motion for a stay of proceedings.

In the interest of efficiency and judicial economy, and because the motion for a stay of proceedings will impact scheduling in this case, the parties further propose and request that the Case Management Conference, currently scheduled for September 4, 2013, be continued to the date set for the hearing on Defendants' motion, or to a date thereafter that the Court deems appropriate.

DATED: August 21, 2013

/s/ Daniel Lutz
Attorney for Plaintiffs

DATED: August 21, 2013

/s/ Jason A. Hill
Attorney for Federal Defendants

DATED: August 21, 2013

/s/ Stacy J. Lau
Attorney for State Defendant

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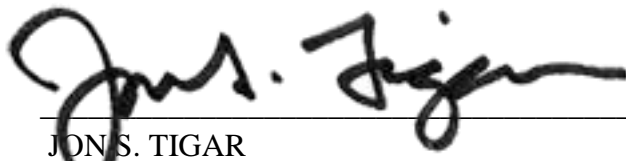
STIPULATION RE: SCHEDULE FOR DEFENDANTS' MOTION FOR A STAY OF PROCEEDINGS AND EXTENSION OF TIME FOR DEFENDANTS TO SERVE A RESPONSIVE PLEADING; AND JOINT MOTION TO RESCHEDULE THE CASE MANAGEMENT CONFERENCE; ~~PROPOSED~~ ORDER
Case 3:13-cv-02265-JST

~~PROPOSED~~ ORDER

The above stipulation is approved. In addition, the Case Management Conference, currently scheduled for September 4, 2013, is continued to November 13, 2013 at 2:00 p.m.

IT IS SO ORDERED.

DATED: August 23, 2013



JON S. TIGAR
United States District Judge